

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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1 SAMUEL MADURO CLASSEN,  
et al.,

2  
3 Plaintiffs,

4 v.

5 SOUTHERN FLYER, INC.  
et al.,

6 Defendants.  
7

CIVIL NO. 98-2335 (RLA)

8  
9 OMNIBUS ORDER

10 The following matters pending in these proceedings are hereby  
11 disposed of as follows.

12 JOINT ISC MEMORANDUM

13 It appearing that defendants have been unable to retain local  
14 counsel after the demise of their former attorney,<sup>1</sup> and it further  
15 appearing that some preliminary matters need to be addressed in this  
16 case at this time, our Order instructing the parties to file a JOINT  
17 ISC MEMORANDUM is hereby **STAYED** until further Order of this Court.

18 CLAIM AGAINST CODEFENDANT POOLE

19 According to the information submitted by codefendant SAMUEL  
20 E. POOLE, JR., there is no viable claim against him in his personal  
21 capacity in this action. His role in contracting the services of  
22

23 <sup>1</sup> The letter subscribed by SAMUEL E. POOLE, JR. dated  
24 September 9, 1999 as well as all attachments thereto shall be **FILED**  
25 by the Clerk of the Court as a motion in this action. MR. POOLE is  
26 admonished to refrain from forwarding any correspondence to the  
undersigned. Rather, all future documents shall be filed as *pro se*  
motions in the case.

9 no

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1 MR. MADURO in state court were exclusively as president of SOUTHERN  
2 FLYER, INC. and any potential judgment would have to be paid by the  
3 corporation not by him. MR. POOLE's intervention exclusively on  
4 behalf of the corporation is confirmed by plaintiffs' allegations  
5 in the complaint.

6 It appearing that there are no allegations in the complaint  
7 asserting an independent cause of action against MR. POOLE  
8 individually, unless plaintiffs show cause **no later than October 15,**  
9 **1999** the claims asserted against codefendant MR. POOLE shall be  
10 dismissed.  
11

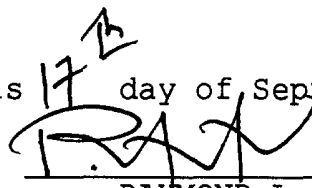
12 **CLAIMS AGAINST SOUTHERN FLYER,**

13 MR. POOLE has submitted evidence tending to show that he did  
14 not sign nor enter into a contingent fee agreement with counsel  
15 MADURO. Accordingly, unless plaintiffs voluntarily dismiss this  
16 action or show cause **on or before October 15, 1999** the complaint  
17 shall be summarily dismissed.

18 MR. MADURO is admonished that in the event that he chooses to  
19 pursue this case and if in due course the imputations asserted by  
20 MR. POOLE are found to be true, this matter shall be referred for  
21 ethical investigation to both the federal and local courts.

22 IT IS SO ORDERED.

23 In San Juan, Puerto Rico, this 17<sup>th</sup> day of September, 1999.



RAYMOND L. ACOSTA

United States District Judge